

ORIGINAL

WAIVER OF SERVICE OF SUMMONS

Judge Smyser

(31)  
6-18-  
S

TO: Martin A. Durkin, Esquire, counsel for Third Party Plaintiff  
(Name of plaintiff's attorney or pro se plaintiff)

I acknowledge receipt of your request that I waive service of a summons in the action of Ohio Casulaty vs. J & J Investment v. Wonders & Budrow, which is case number 1:CV-01-785 in the United States District Court for the Middle District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for the objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after May 30, 2002 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

5/30/02

Date

Signature

Printed/Typed Name:

MICHAEL B. SCHEIB, ESQUIRE

Title if any:

Address:

110 S. Northern WayYork, PA 17402

For Corporation, if any:

Representing defendant(s) if any:

Richard Edward Wonders t/a Wonders General Contracting

FILED

HARRISBURG, PA

JUN 17 2002

MARY E. WANDERER, CLERK

Per MB